

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**May 05, 2022**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAURILLO TREJO,

Defendant.

No. 2:09-CR-06003-RHW-1

**ORDER GRANTING UNITED  
STATES' MOTION TO DISMISS  
INDICTMENT AND QUASHING  
ARREST WARRANT**

**ECF No. 87**

Before the Court, without oral argument, is the United States' Motion to Dismiss the Indictment (ECF No. 87). The United States seeks to dismiss the Indictment without prejudice pursuant to Federal Rule of Criminal Procedure 48(a).

On January 13, 2009, Defendant was charged by Indictment with Possession of a Controlled Substance with Intent to Distribute (50 grams or more of actual methamphetamine) and Felon in Possession of Ammunition. ECF No. 1. In May 2011, Defendant was granted pretrial release on standard and special conditions, which included a \$20,000 appearance bond. ECF No. 74. On October 27, 2011,

1 an arrest warrant issued for Defendant based upon a petition alleging Defendant  
2 violated the conditions of his release when he failed to return to his residence to  
3 begin his curfew on October 24, 2011 and stole a vehicle from his place of  
4 employment on the same date. ECF Nos. 75, 76. Defendant's bail has been  
5 forfeited due to his failure to appear at all proceedings as required. ECF No. 86 at  
6 2-3. As of the date of this Order, Defendant remains a fugitive.

7 Having reviewed the record, the Court grants the Motion to Dismiss and  
8 dismisses the Indictment. Because the dismissal terminates this prosecution,  
9 Defendant is no longer subject to the Amended Order Setting Conditions of  
10 Release (ECF No. 74) and the arrest warrant issued in connection with the alleged  
11 violations of that Order shall be quashed.

12 Accordingly, **IT IS ORDERED:**

13 1. The United States' Motion to Dismiss Indictment (**ECF No. 87**) is  
14 **GRANTED.**

15 2. The Indictment (**ECF No. 1**) is **DISMISSED** without prejudice.

16 3. All hearings and deadlines are **STRICKEN**, and all pending motions  
17 are **DENIED AS MOOT.**

18 4. The arrest warrant issued in this matter on October 27, 2011, **ECF**  
19 **No. 76**, for Maurillo Trejo is **QUASHED.**

1           5. All terms and conditions of pretrial release (**ECF No. 74**) are  
2 **EXTINGUISHED.**

3           The District Court Executive is directed to enter this Order and provide  
4 copies to counsel, United States Probation/Pretrial Services, and the United States  
5 Marshals Service.

6           DATED May 5, 2022.

7                               s/Robert H. Whaley  
8                               ROBERT H. WHALEY  
9                               Senior United States District Judge  
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